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Secretary for  
Environmental Protection

# California Regional Water Quality Control Board San Diego Region

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April 15, 2008

In Reply Refer to:  
**TSMC:50-175.05:spease**

Mr. Jack Ceccarelli  
Restructure Petroleum Marketing Services of CA  
205 South Hoover Boulevard, Suite 101  
Tampa, FL 33609

CERTIFIED MAIL - RETURN  
RECEIPT REQUESTED  
7007 3020 0001 0040 7072

Mr. Jason Blum, Vice President  
Interra-Vision (Santee), LLC  
737 North Michigan Ave., Suite 1050  
Chicago, IL 60611

CERTIFIED MAIL - RETURN  
RECEIPT REQUESTED  
7007 3020 0001 0040 7089

Dear Mr. Ceccarelli and Mr. Blum:

**RE: ADDENDUM NO. 1 TO INVESTIGATIVE ORDER NO. R9-2007-0105  
FORMER E-Z SERVE GAS STATION, 9305 MISSION GORGE RD.,  
SANTEE, CA**

Enclosed in Addendum No. 1 to Investigative Order R9-2007-0105, issued by the California Regional Water Quality Control Board, San Diego Region (Regional Board) pursuant to California Water Code 13267. Addendum No. 1 corrects the responsible party for the discharge from Interra-Vision, LLC to Interra-Vision (Santee), LLC. The Addendum also adds the requirements for submittal of technical reports to the Regional Board for a Corrective Action Plan and Verification Monitoring.

Any person failing or refusing to furnish information required under the authority of California Water Code (CWC) section 13267 or falsifying information submitted to the Regional Board pursuant to such a directive is guilty of a misdemeanor and may be subject to civil liability. Under CWC section 13268, a civil liability may be imposed administratively by the Regional Board in an amount of up to \$1,000 per day of violation (i.e., for each day of delay in submitting all information requested, or for each day that false information remains uncorrected).

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

4/18/2008

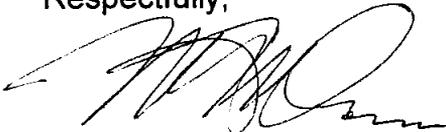
Mr. Ceccarelli and Mr. Blum  
Addendum No. 1 to Investigative Order R9-2007-0105

- 2 -

April 15, 2008

If you have any questions, please contact Ms. Sue Pease of my staff at (858) 637-5596, or by email at [spease@waterboards.ca.gov](mailto:spease@waterboards.ca.gov)

Respectfully,



MICHAEL P. MCCANN  
Assistant Executive Officer

MPM:rwm:sjp  
c:\EZ Serve\Addendum 1.cover.ltr.doc

cc: Mr. Robert G. Russell, Procopio, Cory, Hargreaves & Savitch, LLP, 530 B Street, suite 2100, San Diego, CA 92101

Mr. Gary Halbert, Deputy City Manager, City of Santee, 10601 Magnolia Avenue, Santee, CA 92071

Mr. Michael Davis, Innovative Environmental Solutions, 839 2<sup>nd</sup> Street, Suite 2, Encinitas, CA 92024

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**ADDENDUM NO. 1 TO  
INVESTIGATIVE ORDER NO. R9-2007-0105**

**FORMER E-Z SERVE GAS STATION  
9305 MISSION GORGE ROAD, SANTEE  
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter, Regional Board) finds that:

1. Investigative Order No. R9-2007-0105 requires Restructure Petroleum Marketing Services Inc., and Interra-Vision, LLC to submit technical reports pertaining to corrective actions at the site of the former E-Z Serve Gas Station in Santee, California.
2. By letter dated March 27, 2008, the Regional Board was informed that Interra-Vision, LLC was incorrectly named as a responsible party for the discharge and that the correct name is Interra-Vision (Santee) LLC.
3. Title 23, Division 3, Chapter 16 Section 2725 specifies that *using information obtained during the investigation, the responsible party shall propose a Corrective Action Plan, and also specifies that the responsible party shall submit the Corrective Action Plan to the regulatory agency for review and concurrence.*
4. Title 23, Division 3, Chapter 16 Section 2727 specifies regarding the Verification Monitoring Phase of Corrective Action that *the responsible party shall submit monitoring data and an evaluation of the results of such monitoring in writing on a schedule and for a duration agreed to by the regulatory agency.*
5. This Addendum to Investigative Order No. R9-2007-0105 provides specificity for the submittal of the Corrective Action Plan and the Verification Monitoring.
6. California Water Code section 13267 provides that the Regional Board can require any person who has discharged, discharges, proposes to discharge or is suspected of having discharged or discharging waste to investigate, monitor, and report information. The burden, including the costs, of preparing the reports must bear a reasonable relationship to the need for and the benefits to be obtained from the reports. The findings of this Addendum provide the Dischargers with a written explanation with regard to the need for the reports and identify the evidence that supports the requirement to submit the reports. The associated costs bear a reasonable relationship to the need for the actions, specifically the protection of water quality and beneficial uses. The required information and subsequent regulatory review are necessary to determine a cost-effective strategy for site cleanup and to evaluate the success of that strategy.

4/18/2008

**IT IS HEREBY ORDERED, pursuant to sections 13267 of the California Water Code that:**

Finding 2 of Investigative Order R9-2007-0105 is superseded by the following:

**2. Parties Responsible for the Discharge:**

- a. *Restructure Petroleum Marketing Services of CA (RPMS) was the owner/operator of the underground storage tank system.*
- b. *Interra-Vision (Santee), LLC. is the current property owner.*

Directives 4 and 5 are added to Investigative Order R9-2007-0105 as follows:

**4. Corrective Action Plan:**

- a. Pursuant to the requirements of CCR Title 23, Division 3, Chapter 16, Article 5, Section 2655 and Article 11, Section 2722(b), the dischargers shall submit a Corrective Action Plan (CAP) to the RWQCB. The CAP must contain all the elements specified in Article 11, Section 2725 including:
  - i) an assessment of impacts in accordance with Article 11, Section 2725 (e),
  - ii) a feasibility study to evaluate site remediation and mitigation alternatives in accordance with Article 11, Section 2725 (f),
  - iii) cleanup levels in accordance with the requirements of Article 11, Section 2725(g) and which comply with the requirements listed in Article 11, Section 2721(b), SWRCB Resolution No. 92-49, and Finding 21 of this Order,
  - iv) proposed method(s) and schedule for the monitoring and reporting of progress of remediation at the site. These results should be used by the dischargers to evaluate the effectiveness of the approved corrective action alternative implemented by the dischargers to remediate the soil and ground water contamination from the unauthorized release at the site. The results and the technical evaluation must be reported to the RWQCB Executive Officer for review and comment.
- b. The feasibility study described in **Directive No.4.a.ii** of this Order shall contain an evaluation of alternatives for cleanup of soil and ground water. The evaluation shall be consistent with the requirements of CCR Title 23, Division 3, Chapter 16, Section 2725(f) and include the following elements:

- i) An evaluation of the effectiveness, feasibility, and cost of at least two alternatives to attain the following primary MCL water quality levels:

<u>(a) Constituents</u>	<u>Maximum Contaminant Level (ug/L)</u>
(b) Benzene	1
(c) Toluene	150
(d) Ethylbenzene	300
(e) Total Xylenes	1750
(f) Methyl Tertiary Butyl Ether	13

- ii) An evaluation of methods to control the spread of the free product and the dissolved contaminant plume off the property.
- iii) A comprehensive description of the cleanup and abatement activities associated with each recommended alternative.
- iv) A proposed time schedule, including interim milestone dates, for completion of each recommended alternative.

## 5. Verification Sampling and Monitoring

- a. The dischargers shall prepare a proposed workplan for verification sampling and monitoring in compliance with Section 2727 of Article 11. The workplan must be submitted to the RWQCB for review and approval within **60 days** of full implementation of the CAP. The discharger shall modify the proposed workplan as required by the RWQCB Executive Officer. Upon completion of corrective action, the discharger shall perform soil sampling and ground water monitoring which is necessary to verify:
- i) the effectiveness of the selected remedial alternative(s) identified in the Corrective Action Plan and/or,
- ii) other interim remedial action(s) implemented at the site.
- b. The results from the verification and monitoring must be submitted to the RWQCB Executive Officer within **90 days** of approval of the verification and monitoring workplan by the RWQCB. An alternative deadline may be proposed to the RWQCB Executive Officer in the event that long-term monitoring is required at the site.
- c. The dischargers shall manage all contaminated ground water and/or soil generated as a result of any corrective action work at this site in accordance with all applicable local, state and federal regulations and requirements.
- d. Based upon review of the Corrective Action Plan and/or verification sampling and monitoring results, the RWQCB Executive Officer may amend this Order to identify the target ground water and soil cleanup levels to be attained at the site. If this Order is not amended by the RWQCB Executive Officer, then the water quality protection standards (MCL's) identified in Finding 4 of this Order

April 15, 2008

will be adopted as the maximum ground water contaminant concentration levels allowed for the site.

- e. The dischargers shall implement the Corrective Action Plan in accordance with a time schedule proposed by the dischargers and approved by the RWQCB Executive Officer. The dischargers shall modify the proposed Corrective Action Plan as required the RWQCB Executive Officer.
3. All other directives, issued in Investigative Order No. R9-2007-0105 remain unchanged and in effect.

Dated this 15th day of April 2008

BY THE EXECUTIVE OFFICER



MICHAEL P. McCANN  
Assistant Executive Officer  
April 15, 2008

Signed pursuant to the authority  
delegated by the Executive Officer to  
the Assistant Executive Officer

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 City, State, ZIP+4  
Tampa, FL 33609

PS Form 3800, August 2006 See Reverse for Instructions

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Mr. Jason Blum  
737 North Michigan Ave, Suite 1050  
Chicago, IL 60611

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 Addressee

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K. Ceccarelli  
 14777 Howe Blvd, Suite 101  
 FL 33609

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Agent  
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